



FFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Hisao KOGA, et al.

Art Unit 2661

Appln. No.: 10/719,061

Exr. A. Fotakis

Filed: November 24, 2003

Conf. No. 9118

For: MULTICARRIER TRANSMITTER, MULTICARRIER RECEIVER, AND  
MULTICARRIER COMMUNICATIONS APPARATUS

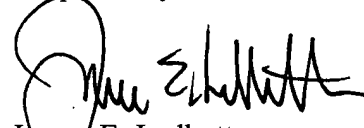
RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Assistant Commissioner of Patents  
Washington, DC 20231

Sir:

In response to the Notice of Non-Compliant Amendment under 37 CFR 1.121, dated June 12, 2008, attached is the Amendment submitted on May 23, 2008 with corrections including proper status identifiers for Claims 1 and 15, and a copy of the notice.

Respectfully submitted,



James E. Ledbetter  
Registration No. 28,732

Date: July 14, 2008

JEL/jcw

Attorney Docket No. 008612-03108

DICKINSON WRIGHT, PLLC  
1901 L STREET, NW, Suite 800  
WASHINGTON, DC 20036  
Telephone: (202) 457-0160  
Facsimile: (202) 659-1559  
DC 8612-3108 122908



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov


24257 e 06/12/2008

STEVENS DAVIS LLP  
1615 L STREET NW  
SUITE 850  
WASHINGTON, DC 20036

*Non-Compliant Audit.*

Paper No.

RESPONSE DUE 7-12-08  
DOCKETED DATE 6-16-08  
DATE 9/2

|  |                                 |
|--|---------------------------------|
| Application No.: 10/719,061<br> | Date Mailed: 06/12/2008         |
| First Named Inventor: Koga, Hisao,   | Examiner: FOTAKIS, ARISTOCRATIS |
| Attorney Docket No.: L8612.03108   | Art Unit: 2611                  |
| Confirmation No.: 9118   | Filing Date: 11/24/2003         |

Please find attached an Office communication concerning this application or proceeding.

|   |                                      |                                    |  |
|---|--------------------------------------|------------------------------------|--|
| <b>Notice of Non-Compliant Amendment</b><br><b>(37 CFR 1.121)</b> | <b>Application No.</b><br>10/719,061 | <b>Applicant(s)</b><br>KOGA ET AL. |  |
|   |                                      | <b>Art Unit</b><br>3998            |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

The amendment document filed on 23 May, 2008 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

**THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:**

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: Claim 15 do not have the proper status identifier.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance, or a drawing submission (only) If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1 to 4 are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable /MARGARET BYARS/

Telephone No: (571)272-6581